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UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

Peter T. Dalleo
CLERK

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U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801
(302) 573-6170

January 11, 2008

Clerk, U.S. Court of Appeals
Room 21400 U.S. Courthouse
Independence Mall West
601 Market Street
Philadelphia, PA 19106

Re: **Delaware** Case No. CA 07-525 JJF
USCA No.: 07-3999
Smith v. Meyers, et al

Dear Clerk:

Enclosed please find a copy of Appellant's "Interlocutory Appeal Status (VIA) 28 U.S.C.A. sec. 2106 Emergency Motion to Modify" which was erroneously filed with the District Court on January 11, 2008.

Sincerely,

Peter T. Dalleo, Clerk

By: _____/s_____
Bob Cruikshank
Deputy Clerk

PTD:rc
encl.

cc: The Honorable Joesph J. Farnan, Jr.
Dennis L. Smith

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